

 <p>Financial Assistance Award</p> <p>DENALI COMMISSION 510 L Street, Suite 410 Anchorage, Alaska 99501 (907) 271-1414 (phone) (907) 271-1415 (fax) www.denali.gov</p>		Award Number	01522-00		
		Award Title	Engineering Consultant Term Contractor		
		Performance Period	May 1, 2017 through December 31, 2020		
Authority 112 Stat 1854	CFDA Number 90.100	Recipient Organization & Address Native Village of Shaktoolik 100 Airport Rd SHAKTOOLIK, AK 99771-1100 Phone: 907-955-3701 Recipient DUNS # 146071134 TIN # 92-0010257			
Denali Commission Finance Officer Certification					
Cost Share Distribution Table					
Accounting Code	New Funding		Prior Period Funding		Total
	Denali Commission	Other Contributors	Denali Commission	Other Contributors	
95670000	\$300,000.00		\$0.00		\$300,000.00
	\$0.00		\$0.00		\$0.00
	\$0.00		\$0.00		\$0.00
	\$0.00		\$0.00		\$0.00
	\$0.00		\$0.00		\$0.00
		\$0.00		\$0.00	\$0.00
		\$0.00		\$0.00	\$0.00
		\$0.00		\$0.00	\$0.00
		\$0.00		\$0.00	\$0.00
Total	\$300,000.00	\$0.00	\$0.00	\$0.00	\$300,000.00
This Financial Assistance Award approved by the Federal Co-Chair of the Denali Commission constitutes an obligation of federal funding.					
Signature of Authorized Official - Denali Commission Electronically Signed		Typed Name and Title Mr. Jay Farmwald Director of Programs		Date 05/12/2017	

AWARD ATTACHMENTS

Native Village of Shaktoolik

01522-00

1. Terms and Conditions
2. Attachment A
3. Budget and Funding Summary

2 May 2017

**Financial Assistance Award Terms and Conditions
Between the Denali Commission and Native Village of Shaktoolik
For Engineering Consultant Term Contractor
Award No. 1522**

1. Project Summary

- a. Scope of Work: Establish an Indefinite Delivery Indefinite Quantity (IDIQ, aka Term) contract with an engineering firm that can provide planning, design, and construction management support services for infrastructure protection projects that will increase the resilience of Shaktoolik.
- b. Deliverables:
 - 1) Parent IDIQ Contract
 - 2) Project Specific Task Orders
- c. Budget: The Commission is making \$300,000 available for the project via this Financial Assistance Award (FAA). This amount includes all direct, indirect, and pre-award costs (if any) authorized pursuant to 2 CFR 200.458. All Commission funding is intended to be used for the scope of work identified in this FAA only. Any funds remaining after the full scope of work has been completed shall be returned to the Denali Commission consistent with 2 CFR 200.319.
- d. Delivery Method: Native Village of Shaktoolik (NVS) will conduct a competitive procurement for an engineering consultant IDIQ contract. The selected consultant will prepare plans/specifications, and provide construction management services for individual projects designed via the IDIQ contract.
- e. Performance Period: The Period of Performance for this FAA is 1 May 2017 through 31 December 2020. In accordance with 2 CFR 200.309 Recipients can only incur obligations or costs against this FAA during the Period of Performance, unless specifically authorized in the Special Provisions (Section 14 of this document). If a project cannot be completed within the approved Period of Performance, an extension request must be made in accordance with the Commission's *Recipient Guidelines and Requirements* (RGR) document dated July 2015, available at www.denali.gov.

More detailed information on scope, deliverables, budget, funding, project delivery method and/or management plan, schedule and key milestones are included in Attachment A dated 2 May 2017.

2. Project Reporting and Commission Site Visits

Progress reports and a close-out report are required under this FAA. Progress Reports shall be submitted at the frequency stipulated in the Special Provisions. The Closeout Report shall be completed within 90-days of the end of the Period of Performance. All reports must be submitted using the Denali Commission's on-line Project Database System, available at www.denali.gov/dcpdb.

Commission staff or agents of the Commission may make visits to the project site and/or home office to monitor progress during and/or after the Period of Performance. The Recipient shall coordinate and make information available as necessary to facilitate any such site visits.

Refer to the *Recipient Guidelines and Requirements* document for further information related to reports and site visits.

3. Payments

Payments under this FAA will be made in accordance with 2 CFR 200.305 by electronic transfer in response to a Standard Form 270 (SF-270) "Request for Advance or Reimbursement", submitted by the Recipient. At a minimum, all 270's must include summary cost information on labor, materials, contracts/consultants, and indirect costs. Detailed documentation is required for any single expenditure greater than \$50,000. If Pre-award Costs and/or Advance Payments are authorized under this FAA, the Special Provisions will indicate so. Requests for reimbursements may be made as needed. Refer to the *Recipient Guidelines and Requirements* document for further information about submitting SF-270's.

4. Modifications

In accordance with 2 CFR 200.308, the Recipient shall report deviations in project scope, budget, delivery method, management plan, schedule, or changed site conditions, and request prior approvals from the Program Manager. The Recipient shall also submit written requests to the Program Manager for the replacement of Key Staff identified in the Special Provisions. Refer to the *Recipient Guidelines and Requirements* document for further information about modifying a Financial Assistance Award.

5. Financial Management, Record Keeping, Internal Controls, and Audits

The Recipient must have financial management and record keeping systems that are consistent with 2 CFR 200.302. If the Recipient is a State organization it must expend and account for FAA funds in accordance with applicable State laws and procedures for expending and accounting for the State's own funds.

The Recipient must establish and maintain effective internal controls with respect to this FAA that are consistent with 2 CFR 200.303.

In accordance with 2 CFR 200.501, Recipients that expend \$750,000 or more of federal funds in a year shall have a single or program-specific audit conducted for that year.

Refer to the *Recipient Guidelines and Requirements* document for further information about financial management, record keeping, internal controls and audits.

6. Direct and Indirect Costs

All direct costs must be allowable and reasonable. Indirect costs must be allocable based on accepted accounting policies and practices. Indirect costs must be specifically included as a line item or identified with appropriate notes in the approved FAA budget. Refer to 2 CFR 200 Subpart E (Cost Principles) and the *Recipient Guidelines and Requirements* document for further information on direct and indirect costs.

7. Sub-Awards and Contracts

All sub-awards and contracts issued by the Recipient under this FAA must comply with 2 CFR 200.331 and Appendix II to 2 CFR 200. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

8. Acknowledgement of Support

The Recipient shall name the Denali Commission as a financial contributor and project/program partner in all media correspondence related to the work supported by this FAA. If Commission funds are used for construction, the Recipient shall also display a sign at the construction site that acknowledges the Commission's support. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

9. Real and Personal Property

In accordance with 2 CFR 200.311, 313, and 316 the Denali Commission may require the Recipient to execute a security interest or other public notice of record to indicate that real or personal property acquired or improved, in whole or in part, with Federal funds is subject to a Federal interest. Any such requirements under this FAA, including post project reporting in accordance with 2 CFR 200.329, will be stipulated in the Special Provisions.

10. Conflict of Interest

In accordance with 2 CFR 200.112, the Recipient must disclose in writing any potential conflicts of interest to the Commission. In addition, 2 CFR 200.318 requires that Recipients maintain written standards of conduct covering conflicts of interest and governing the performance of their employees engaged in the selection, award, and administration of contracts. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

11. Denali Commission Policies

Recipients may be required to comply with certain published Denali Commission policies which can be found in the *Recipient Guidelines and Requirements* document. Applicable policies are referenced in the Special Provisions of this FAA, and specific requirements/deliverables (if any) are stipulated in Appendix A.

12. Laws and Regulations

Recipients are required to comply with all applicable Federal laws and regulations. General categories of potentially applicable laws and regulations are summarized below. Refer to the *Recipient Guidelines and Requirements* document for further information on specific laws and regulations that may apply.

- a. Debarment and Suspension
- b. Whistle-blower Protection
- c. Non-Discrimination
- d. Lobbying and Propaganda
- e. Environmental
- f. Drug-Free Workplace
- g. Travel
- h. Human Rights
- i. Animal Welfare
- j. Executive Compensation

13. Other Provisions

- a. The United States expressly disclaims any and all responsibility or liability to the Recipient or sub-recipients for the actions of the Recipient or sub-recipients resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this FAA, including sub-awards, contracts, or sub-contracts issued in connection with this FAA.
- b. To the maximum extent practicable, considering applicable laws, the Recipient shall accomplish the project contemplated by this FAA using local Alaska firms and labor.
- c. All terms and conditions contained in this FAA apply to any sub-recipient under this FAA.
- d. Failure to comply with the provisions of this FAA or maintain satisfactory performance may result in additional FAA conditions pursuant to 2 CFR 207. This includes but is not limited to: temporarily withholding of payments pending the correction of the deficiency; disallowance of project costs; wholly or partially suspending or terminating the FAA. In addition, failure to comply with the provisions of this FAA may also have a negative impact on the Recipient's eligibility for future Federal awards.

14. Special Provisions

Progress Reports: Quarterly

Pre-award Costs: not allowed

Key Staff: Genevieve Rock

Advance Payments: n/a

Federal Property Interests and Reporting Requirements: n/a

Denali Commission Policies:

- Sustainability
- Cost Containment

Bonds and Insurance: The Denali Commission shall be named as an additional insured on the general liability insurance policy of the following entities; NVS, Engineering IDIQ contractor, any general contractor selected to install work designed via the IDIQ contract.

15. Program Manager, Financial Manager & Other Contact Information

Denali Commission	Recipient
Chris Allard Program Manager 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-1414 Fax: 907-271-1415 E-mail: callard@denali.gov	Genevieve Rock Community Coordinator P.O. Box 100 Shaktoolik, AK 99771 Phone: 907-538-9499 Fax: 907-955-2352 Email: grockskkira@outlook.com
Janet Davis Grants Management Officer 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-3036 Fax: 907-271-1415 E-mail: jdavis@denali.gov	Karlene Sagoonick Tribal Coordinator P.O. Box 100 Shaktoolik, AK 99771 Phone: 907-955-3701 Fax: 907-955-2352 Email: ksagoonick@kawerak.org

Attachment A
to
Financial Assistance Award # 1522
Between the Denali Commission and the Native Village of Shaktoolik
For Engineering Term Contractor

SCOPE OF WORK

The 2016 Shaktoolik Strategic Management Plan (SMP) and 2015 Hazard Mitigation Plan (HMP) identified specific projects to help protect community infrastructure. In order to move forward with these and other infrastructure protection projects, this FAA provides funds so the Native Village of Shaktoolik (NVS) can hire an engineering firm that will deliver professional design and other project related services via an Indefinite Delivery Indefinite Quantity (IDIQ), aka “Term” contract.

This FAA also provides funds for two initial task orders, and an allowance for other future task orders to be completed via the IDIQ contract:

- Escape Route Lighting – design and permit documents for beacons along the Shaktoolik River that will serve as a guide for residents if evacuation of the community is necessary during a major storm event
- Storm Surge Mound – design and permit documents for an engineered earthwork mound that will serve as a place of refuge for residents during flood events

DELIVERABLES

- IDIQ contract for planning, design, and construction management services
- Escape Route Lighting design/permit documents
- Storm Surge Mound design/permit documents
- Other engineering related professional services TBD

BUDGET

The Commission is making \$300,000 available for this scope of work. Reference Appendix 1 dated 2 May 2017 for more detailed budget and funding information.

DELIVERY METHOD

The IDIQ contractor will be competitively procured in accordance with Shaktoolik’s procurement policies and procedures. The Denali Commission will assist the NVS with developing the Request for Proposal (RFP), and reviewing the proposals received. It will be made clear throughout the procurement process that the successful proposer will be selected by NVS and will enter into a contract with NVS, and that the role of the Denali Commission is limited to assisting NVS with the procurement process. Kawerak, Inc. will provide legal assistance in setting up the contract at no direct cost to NVS.

The two initial task orders (TO), and subsequent TO's issued via the IDIQ contract, will be performed by the selected Engineering Consultant Term Contractor. A detailed scope of work and cost proposal for the professional services required will be prepared for each individual TO.

The Denali Commission will provide the following technical assistance to NVS on individual TO's.

- Preparing scopes of work, and negotiating professional fees and project schedules
- Reviewing planning/design documents and construction implementation plans

SCHEDULE

The initial performance period for this FAA is 15 May 2017 through 31 December 2020. The performance period may be extended by amendment.

KEY MILESTONES

Advertise RFP	1 June 2017
Select Engineering Consultant	1 July 2017
Execute Parent IDIQ Contract, and TO's #1 and #2	1 August 2017
TO #1 Final Design Documents	1 September 2017
TO #2 Preliminary Engineering Report	1 January 2018
TO #2 Final Design Documents	1 June 2018

Attachment A - Appendix 1
Financial Assistance Award
Between Denali Commission and Native Village of Shaktoolik
For Engineering Consulting Term Contractor
Award No. 1522
2 May 2017

BUDGET				
<i>line</i>	Item/Activity	By	Amount	Basis / Notes
1	RFP & Contract Negotiation Process			
2	Direct Labor Cost	NVS	\$7,000	150 hrs @ \$46.60/hr fully burdened rate (rounded)
3	Legal Services	Kawerak	\$0	Contribution in kind
4	Travel and expenses	NVS	\$10,000	5 person-trips to Anchorage @ \$2,000 / trip
5	Task Order No. 1 (Escape Route Lighting)			
6	Design and Permitting	IDIQ	\$10,000	75 hrs @ \$130/hour (rounded)
7	Task Order No. 2: (Storm Surge Mound)			
8	Planning, Design and Permitting	IDIQ	\$125,000	950 hrs @130/hour (rounded)
9	Allowance for Other Professional Services	IDIQ	\$140,000	\$100K of FY17 VIP funds
10	Tribal Indirect Costs ^{1,2}	NVS	\$7,700	10% of lines 2, 4, 6, plus 10% of first \$25K of lines 8 and 9
11	Total		\$299,700	
12	Total (Rounded)		\$300,000	

Notes

1. NVS does not have a negotiated indirect cost rate; use the 10% de-minimis rate in 2 CFR 200.414
2. Indirect allowed on first \$25,000 of each individual Task Order; for now, assume line 9 is used for a single TO --- adjust as appropriate later

FUNDING				
<i>line</i>	Source	Reference	Amount	Notes
13	Denali Commission	This Action	\$300,000	
14	Others	TBD	TBD	Construction of individual projects
15	Total		\$300,000	